Page 1 51-3

Home Statutes & Constitution Lobbyist Information Information Center Senators Committees Session The 2003 Florida Statutes JUDICIAL BRANCH MEDIATION ALTERNATIVES TO JUDICIAL ACTION Select Year: 2003 ▼ Chapter 44 View Entire Chapter ပ်

401∍

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44.201 Citizen Dispute Settlement Centers; establishment; operation; confidentiality... of a county or with two or more boards of county commissioners of counties within the judicial (1) The chief judge of a judicial circuit, after consultation with the board of county commissioners

- other interested persons. are not representatives of such officers or boards. The membership of the council also may include the center. In addition, council membership shall include two members of the general public who county court judge, and each board of county commissioners within the geographical jurisdiction of membership of the council shall include a representative of the state attorney, each sheriff, a shall serve as chair of the council and shall appoint the other members of the council. The adopted by a council composed of at least seven members. The chief judge of the judicial circuit (2)(a) Each Citizen Dispute Settlement Center shall be administered in accordance with rules
- shall administer the operations of the center. (b) The council shall establish qualifications for and appoint a director of the center. The director

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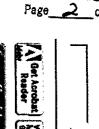
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geographical jurisdiction of the Citizen Dispute Settlement Center and from agencies of the Federal Government, private sources, and other available funds and may expend such funds to carry out the purposes of this section (c) A council may seek and accept contributions from counties and municipalities within the

Year: 2003 - ?

Search Statutes

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Attachment #

settlement of disputes. Such plan shall prescribe: Justice, shall formulate and implement a plan for creating an informal forum for the mediation and (3) The Citizen Dispute Settlement Center, subject to the approval of the council and the Chief



- (a) Objectives and purposes of the center;
- with the parties to a complaint; (b) Procedures for filing complaints with the center and for scheduling informal mediation sessions
- fitness for mediation as set by the council; (c) Screening procedures to ensure that each dispute mediated by the center meets the criteria of
- mediation; (d) Procedures for rejecting any dispute which does not meet the established criteria of fitness for
- parties and for conducting mediation sessions; (e) Procedures for giving notice of the time, place, and nature of the mediation session to the
- (f) Procedures to ensure that participation by all parties is voluntary; and
- is later breached, is reported to the referring agency. state attorney, court, or other agency and that fails at mediation, or that reaches settlement that (g) Procedures by which any dispute that was referred to the center by a law enforcement agency.
- nonjudicial and informal. No adjudication, sanction, or penalty may be made or imposed by the (4)(a) Each mediation session conducted by a Citizen Dispute Settlement Center shall be mediator or the center.
- service agencies (b) A Citizen Dispute Settlement Center may refer the parties to judicial or nonjudicial supportive
- successfully resolved. This subsection shall not be construed to prevent or inhibit the discovery or confidentiality of such information. Each party to a Citizen Dispute Settlement Center proceeding has a privilege during and after those proceedings to refuse to disclose and to prevent another evaluation effort directed at assessing program activities or performance shall protect the not be publicly disclosed without the written consent of all parties to the dispute. Any research or materials, oral or written, is confidential and exempt from the provisions of s. 119.07(1) and shall the center from the files, reports, case summaries, mediator's notes, or other communications or admissibility of any information which is otherwise subject to discovery or which is admissible from disclosing communications made during such proceedings, whether or not the dispute was (5) Any information relating to a dispute obtained by any person while performing any duties for

proceeding. under applicable law or rules of court, except that any conduct or statements made during such mediation sessions or in negotiations concerning such sessions shall be inadmissible in any judicial

- wanton and willful disregard of the rights, safety, or property of another. function, unless such person acted in bad faith or with malicious purpose or in a manner exhibiting Center shall be held liable for civil damages for any act or omission in the scope of employment or (6) No officer, council member, employee, volunteer, or agent of a Citizen Dispute Settlement
- operations in its current form with the approval of the chief judge of the judicial circuit in which such center is located, except that paragraph (4)(b) and subsections (5) and (6) shall apply to such (7) Any Citizen Dispute Settlement Center in operation on October 1, 1985, may continue its
- (8) Any utility regulated by the Florida Public Service Commission is excluded from the provisions

History.--s. 2, ch. 85-228; s. 16, ch. 90-360; s. 263, ch. 95-147; s. 19, ch. 96-406

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Page 3 of 3